

By: Hinojosa

S.B. No. 2138

A BILL TO BE ENTITLED

AN ACT

relating to authority of the Health and Human Services Commission to retain portion of appropriated funds to pay for implementation of certain health care programs under the Medicaid program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.021135 to read as follows:

Sec. 531.021135. AUTHORITY TO RETAIN PORTION OF FUNDS TO PAY FOR IMPLEMENTATION OF CERTAIN PROGRAMS UNDER THE MEDICAID PROGRAM.

(a) The commission may retain and spend as provided by general appropriation an amount not to exceed one percent of the funds received for the operation of Section 1115 waiver programs and directed payment programs as authorized by federal law, as well as any successor programs as determined by the commission, to pay for implementation of those health care programs.

(b) The executive commissioner shall adopt rules to implement this section.

SECTION 2. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2019.